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May 24, 2001

ATTORNEY DOCKET No.: DIVER1370-7

Box PATENT APPLICATION  
 Commissioner for Patents  
 Washington, DC 20231

Presented for filing is a new continuation-in-part patent application of:

APPLICANTS: **JAY M. SHORT; KEITH A. KRETZ; KEVIN A. GRAY; NELSON  
 ROBERT BARTON; JAMES B. GARRETT; EILEEN  
 O'DONOGHUE**

TITLE: **RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF**

Enclosed are the following papers, including all those required for a filing date under 37 CFR  
 § 1.53(b):

Pages of Specification	156
Pages of Claims	13
Page of Abstract	1
Declaration (signed)	4

Under 35 USC § 120, this application is a continuation-in-part of U. S. Application No.  
 09/580,515, filed May 25, 2000, which is a continuation-in-part of U.S. Patent Application  
 No. 09/318,528 filed May 25, 1999, which is a continuation of U.S. Patent Application No.  
 09/291,931, filed April 13, 1999, which is a continuation-in-part of U.S. Patent Application No.  
 09/259,214, filed March 1, 1999, which is a divisional of U.S. Patent Application No. 08/910,798,  
 now U.S. Patent No. 5,876,997, filed August 13, 1997, the contents of which are incorporated by  
 reference in their entirety herein.

"EXPRESS MAIL" Mailing Label Number: <b>EL617044934US</b>	
Date of Deposit: <b>May 24, 2001</b>	
I hereby certify under 37 CFR§ 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.	
<b>Mikhail Bayley</b>	
(Name of person mailing paper)	
<b>Mikhail Bayley</b>	(Date)
(Signature of person mailing paper)	

**Gray Cary Ware & Freidenrich LLP**

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Also enclosed please find:

- Cover Page for CIP Patent Application;
- Information Disclosure Statement (2 pages);

PTO 1449 (2 pages);

Other Documents (11)

- Return-addressed postcard.

**The filing fee is calculated as follows. Small entity status is claimed.**


Basic filing fee (Small Entity)	\$0.00
Total claims in excess of 20 times \$9.00	0.00
Independent claims in excess of 3 times \$39.00	0.00
Multiple dependent claims	0.00
Total filing fee:	\$0.00

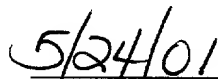
The payment of the filing fee is to be deferred until the Declaration is filed. Do not charge our deposit account. Please charge Deposit Account No. 50-1355 for any fees OTHER THAN the filing fee. A copy of this transmittal letter is attached.

If this application is found to be INCOMPLETE, or if it appears that a telephone conference would helpfully advance prosecution, please telephone the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

  
\_\_\_\_\_  
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\_\_\_\_\_  
Date

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